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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,960	12/21/2000	Benjamin N. Eldridge	P3D4-US	3621

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EXAMINER

CUNEO, KAMAND

ART UNIT	PAPER NUMBER
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2827

DATE MAILED: 08/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

9/746960

Applicant(s)

Examiner

Cuneo

Group Art Unit

2827

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on 5/23/02
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 50-59, 325-345 is/are pending in the application.
- ☐ Of the above claim(s) 325, 345 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 50-59 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☒ The drawing(s) filed on 12/21/00 is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
 - ☐ received.
 - ☐ received in Application No. (Series Code/Serial Number) _____
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 4,7 (3 pages)
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

DETAILED ACTION

Election/Restriction

1. Applicant's election of contact configuration e and mounting configuration 9 in Paper No. 8 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

In the restriction requirement, examiner incorrectly identified the pending claims as 49-59 and 325-345. The pending claims are 50-59 and 325-345.

Claim 325 recites the configuration of an interposer with first and second connected conductive areas as shown in figures 17A-17B and other figures. Nevertheless, these are not the elected configuration of figure 5F. Therefore, claims 325-331 are withdrawn from consideration. Claim 331 recites the configuration of an element extending beyond the first surface as shown in figure 17C. This is not the elected configuration of figure 5F. Therefore, claims 332-339 are withdrawn from consideration. Claims 340-345 are drawn to figures 22A-22B and are also withdrawn. Nonelected claims will be rejoined at allowance if they comply with the provisions of section 112 and include every limitation of an allowed claim.

In summary, claims 325-345 are objected to as being drawn to a nonelected embodiment and are withdrawn from consideration.

Drawings

2. The drawings are objected to for the following reasons.

The figures are improperly cross hatched. All of the parts shown in section, and only those parts,

must be cross hatched. The cross hatching patterns should be selected from those shown on page 600-81 of the MPEP based on the material of the part. See also 37 CFR 1.84(h)(3) and MPEP 608.02.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the second component connected to the member as recited in claim 50 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Drawing corrections in compliance with MPEP 608.02(v) are required in response to this office action.

Specification

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Treatment of Claims Based on Language and Format

4. 35 USC 112, second paragraph, states:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 56 and 58 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 56, it is unclear whether the function of resiliency is imparted just by selection of

the coating material (in which case the claim is definite) or some other structural limitations are implied (in which case the claim is indefinite). As such, the scope of the claim is unclear.

Claim 58, "Ni/Fe/Co materials" is ambiguous. Examiner assumes that this means alloys containing all three Ni, Fe, Co metals.

NOTE: Applicant is advised the use of "selected from the group consisting of" language should not be used when the group is open ended. A list of material reciting "alloys" of that material is open ended because there is not a definite, finite number of such alloys. Such language is used in claims 54-55, 57-59.

Treatment of Claims Based on Prior Art

6. 35 USC 102 includes the following sections which state:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7. Claims 50-53, 55-59 are rejected under 35 USC 102(b) as being anticipated by Ainslie et al. (US 4418857, hereafter Ainslie).

Figure 1 discloses wire element (16) and coating (17) of Ni or similar metals, column 4 at lines 23-25 and 53-67.

8. Claims 50-59 are rejected under 35 USC 102(b) as being anticipated by Miller (US 3662454). The cover figure and abstract disclose wire (10) with coating (16) and the claimed material.

Closing

9. Any inquiries related to the examination of this application should be directed to Ex. K. Cuneo at (703) 308-1233 or her supervisor SPE David L. Talbott at (703) 305-9883. Inquiries of a general nature should be directed to the receptionist of Group 2800 at (703) 308-0956. The fax numbers for Group 2800 are (703) 308-7722 and 7724.



K. Cuneo
Primary Examiner
August 26, 2002